

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ROBERT KENNY,

Plaintiff,

No. 2:14-cv-1987-RSM

v.

**JOINT STATUS REPORT**

PACIFIC INVESTMENT MANAGEMENT  
COMPANY LLC, a Delaware limited liability  
company; PIMCO INVESTMENTS LLC,

Defendant.

As contemplated in the Stipulation and Order of Dismissal entered on August 24, 2016 in a related case involving the same parties, *Kenny v. Pac. Inv. Mgmt. Co. LLC*, No. 2:15-cv-2037-RSM (ECF 34), plaintiff Robert Kenny (“Plaintiff”) and defendants Pacific Investment Management Company LLC and PIMCO Investments LLC (“Defendants”), through their undersigned counsel of record, jointly submit this status report.

The Court’s Order Granting Plaintiff’s Motion for Judgment on the Pleadings in this Action (ECF 97) limited Defendants’ Third Affirmative Defense and held that “Section 36(b) of the ICA contains only a retrospective limitation on damages and [ ] Plaintiff need not file Anniversary Complaints annually to preserve his right to pursue damages incurred after the filing of this action.”

JOINT STATUS REPORT  
(2:14-cv-01987-RSM)

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1 Plaintiff seeks additional discovery as to the later time periods now encompassed by this Action,  
 2 and the parties have conferred (and will confer further) regarding the nature and scope of the  
 3 additional discovery sought by Plaintiff. Plaintiff served his Fourth Request for Production of  
 4 Documents on September 1, 2016, and he will shortly provide a proposal to Defendants regarding  
 5 the scope of additional discovery sought as to the later time periods at issue.

6 In addition, the Court granted Plaintiff's motion to compel discovery on August 5, 2016  
 7 order (ECF 96). The Defendants have provided some of the documents the Court compelled them  
 8 to produce, and the parties have conferred (and will confer further) regarding the production of the  
 9 remaining documents. However, the parties are still in the process of negotiating the manner in  
 10 which compensation information will be produced as well as the scope of the production with  
 11 regard to the production of documents relating to separate accounts.

12 In light of the foregoing, the parties believe that the schedule in this Action will need to be  
 13 adjusted to allow additional time for the completion of discovery. The parties do not have a  
 14 proposed revised schedule on which they seek Court action at this time. They are working to  
 15 determine the additional time required to complete discovery and will submit to the Court a  
 16 proposed revised schedule as soon as practicable. The parties anticipate submitting a proposed  
 17 revised case schedule on or before September 30, 2016 or, in the alternative, a further joint status  
 18 report regarding progress on discovery and scheduling matters.

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DATED this 6th day of September, 2016.

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 6, 2016, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to email addresses indicated on the Court's Electronic Mail Notice List.

September 6, 2016

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